THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.27040 OF 2005

Dated: 06-04-2006

Between :

1. Bennaboina Prakasam and another … Petitioners

And

1. The Additional Agent to the Government,
   Rampachodavaram, East Godavari District
   And five others. … Respondents

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ORDER :

At the instance of the respondents 5 and 6 herein the proceedings were initiated under the A.P. Scheduled Areas Land Transfer Regulation Act, 1959 as amended by the Regulation 1 of 1970 (for shot, 'the Regulations') for restoration of the lands in occupation of the petitioners. However, after due enquiry, the Special Deputy Collector (Tribal Welfare) by order dated 5-9-2002 dismissed the said petition holding that the possession of the writ petitioners was not in violative of the regulations. Aggrieved by the same, the respondents 5 and 6 herein preferred an appeal being C.M.A.No.42 of 2004 before the 1st respondent - The Additional Agent to the Government, Rampachodavaram. The said appeal was allowed by order dated 29-10-2005 thereby setting aside the order of the Special Deputy Collector (Tribal Welfare) dated 5-9-2002 and directing ejection of the petitioners from the land in question.

Questioning the said order, the writ petitioners preferred a Revision Petition before the 4th respondent – Government of A.P. under Section 6 of the Regulations which is pending.

The only grievance of the petitioners is that pending the said Revision, the 4th respondent – Revisional Authority, failed to consider their request for suspension of operation of the order dated 29-10-2005. Hence, this writ petition.

Having heard the learned Counsel for the petitioners, learned

Government Pleader for Social Welfare appearing for the respondents and having perused the material on record, I am of the opinion that it would be appropriate to protect the possession of the petitioners till the disposal of the statutory revision.

Accordingly, there shall be a direction to the fourth respondent to dispose of the Revision pending on its file, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order. Till such time, status quo obtaining as on today as to the nature and possession of the land in question shall be maintained.

The Writ Petition is accordingly disposed of. No costs.

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G. ROHINI, J.

Dt. 06-04-2006

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